

In the Matter of:)	
)	
Implementation of Pay Telephone)	
Reclassification and Compensation)	CC Docket No. 96-128
Provisions of the Telecommunications Act)	
of 1996)	
)	
Petition for Rulemaking or, in the)	
Alternative, Petition to Address Referral)	
Issues In Pending Rulemaking)	
)	
)	
)	
)	

Pursuant to Section 1.46(b) of the Commission’s rules,¹ petitioners Martha Wright, *et al.* (“Petitioners”) request a three-week extension of time in which to file a reply to the comments opposing the relief sought in Petitioners’ Alternative Rulemaking Proposal (“Proposal”).² A three-week extension will not prejudice any interested party and will aid in the development of a more complete record upon which to resolve the issues raised by the opposing comments (“Oppositions”).

¹ 47 C.F.R. 1.46(b).

³ *Id.*

granted an extension of those deadlines until May 2 for initial comments and May 23 for reply comments.⁴ The Commission provides additional time to file comments and reply comments in rulemaking proceedings when “good cause exists” for such an extension because it “will facilitate the development of a more accurate and complete record” and thus is in the public interest.⁵ As further explained below, good cause exists and the public interest would be served in this case by providing Petitioners with a modest extension of time to respond to the multiple issues raised in the Oppositions.

The Proposal raises controversial, substantive matters regarding inmate telephone services and long distance inmate service rates. Some of the Oppositions raise cost and other economic issues that will require time-consuming analysis and rebuttal by Petitioners’ expert, Douglas A. Dawson, and coordination between Mr. Dawson and counsel. Counsel will also need to consult with public interest groups on whose behalf the Proposal was filed. Such analysis, coordination and consultation will require more time than the 13 days remaining in the revised comment cycle established by the Commission.

The Proposal requests that the Commission address grossly excessive inmate telephone service rates and restrictions on inmate calling options. The significant and controversial public policy and consumer issues arising from such restrictions and exorbitant rates, which are borne largely by low-income relatives and loved ones of prison inmates, should not be resolved without providing a full opportunity for Petitioners to respond to the expert testimony and multiple legal

⁴ *Implementation of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Order, CC Docket No. 96-128, DA 07-1366 (WCB Mar. 21, 2007).

⁵ See, e.g., *id.* ¶ 3; *Verizon Telephone Companies, Petition for Forbearance From the Current Pricing Rules for the Unbundled Network Element Platform*, 18 FCC Rcd 14600 (2003) (concluding that good cause exists to extend the date to file comments and reply comments due to the complexity of the issues raised in the proceeding).

and policy arguments in the Oppositions. Furthermore, any delay in the Commission's decision on the Proposal will be vastly outweighed by Petitioners' ability to develop a more complete record in this proceeding, which will assist the Commission in making an informed and appropriate decision.

No other party will be prejudiced by a brief extension of the deadline to file reply comments. The Commission routinely provides parties with additional time to file reply comments in situations where, such as here, the proceeding raises complex and substantive issues, particularly when other parties would not be harmed by the extension.⁶

Accordingly, Petitioners have shown good cause for a brief extension of three weeks, until June 13, 2007, of the due date for their reply to the Oppositions. The issues raised by the Oppositions and the lack of prejudice to any party, as well as the public interest in protecting ratepayer interests, support the requested relief.

Respectfully submitted,

Martha Wright, *et al.*

By: /s/ Deborah M. Golden

Deborah M. Golden
D.C. Prisoners' Project
Washington Lawyers' Committee for Civil
Rights and Urban Affairs
11 Dupont Circle, Suite 400
Washington, D.C. 20036
(202) 319-1000

By: /s/ Frank W. Krogh

Doane F. Kiechel
Frank W. Krogh
Jennifer L. Kostyu
Morrison & Foerster, LLP
2000 Pennsylvania Avenue, N.W.
Suite 5500
Washington, D.C. 20006
(202) 887-1500 (Voice)
(202) 887-0763 (Fax)

⁶ See, e.g., *Procedures to Govern the Use of Satellite Earth Stations on Board Vessels in the 5925-6425 MHz/ 3700-4200 MHz Bands and 14.0-14.5 GHz/ 11.7-12.2 GHz Bands*, IB Docket No. 02-10, DA No. 04-579 (Mar. 1, 2004) (granting the request for an extension of time to file reply comments because of the complex issues raised in the rulemaking proceeding).

Stephen G. Seliger
Laurie S. Elkin
Seliger & Elkin, Ltd.
155 North Michigan Avenue
Suite 500
Chicago, IL 60601
(312) 616-4244

Rachel Meeropol
Center for Constitutional Rights
666 Broadway, 7th Floor
New York, NY 10012
(212) 614-6464 x 439

Dated: May 10, 2007

CERTIFICATE OF SERVICE

I, Theresa Rollins, hereby certify on this 10th day of May, 2007, a copy of the foregoing Motion for Extension of Time has been served via electronic mail (*) or first class mail, postage pre-paid, to the following:

Pamela Arluk*
Acting Assistant Division Chief
Pricing Policy Division
Wireline Competition Bureau
Federal Communications Commission
Wireline Competition Bureau
445 12th Street, S.W.
Washington, D.C. 20554

Email: Pam.Arluk@fcc.gov

Best Copy and Printing, Inc.*
Portals II
445 12th Street, S.W., Room CY-B402
Washington, D.C. 20554

Email: FCC@BCPIWEB.COM

Lynne Engledow*
Pricing Policy Division
Wireline Competition Bureau
Federal Communications Commission
Wireline Competition Bureau
445 12th Street, S.W.
Washington, D.C. 20554

Email: Lynne.Engledow@fcc.gov

Marcus W. Trathen
David Kushner
Brooks, Pierce, McLendon, Humphrey
& Leonard, L.L.P.
Wachovia Capitol Center, Suite 1600
150 Fayetteville Street
Post Office Box 1800
Raleigh, North Carolina 27601

Albert Lewis*
Acting Division Chief
Pricing Policy Division
Wireline Competition Bureau
Federal Communications Commission
Wireline Competition Bureau
445 12th Street, S.W.,
Washington, D.C. 20554

Email: Albert.Lewis@fcc.gov

Douglas Galbi*
Wireline Competition Bureau
Federal Communications Commission
Wireline Competition Bureau
445 12th Street, S.W., Room 5-A221
Washington, D.C. 20554

Email: Douglas.Galbi@fcc.gov

Mark D. Schneider
Thomas P. Van Wazer
Sidley Austin LLP
1501 K Street, N.W.
Washington, D.C. 20005

John B. Adams
c/o Consolidated Communications Public
Services, Inc.
The Adams Legal Firm, LLC
626C Admiral Drive #312
Annapolis, Md 21401

David C. Bartlett
Jeffrey S. Lanning
R. Brian Adkins
701 Pennsylvania Avenue, N.W., Suite 820
Washington, D.C. 20004

Denise A. Cardman
American Bar Association
Governmental Affairs Office
740 Fifteenth Street, NW
Washington, D.C. 20005

David C. Bergmann
Chair, NASUCA Telecommunications Committee
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485

NASUCA
8380 Colesville Road, Suite 101
Silver Spring, MD 20910

Paul Doucette
Executive Director
Association of Private Correctional and
Treatment Organizations
888 16th Street, NW, Suite 800
Washington, D.C. 20006

Monique Byrnes, Consultant to
Public Communications Services, Inc
11859 Wilshire Blvd., Suite 600
Los Angeles, CA 90025

Michael S. Hamden
North Carolina Prisoner Legal Services, Inc.
1110 Wake Forest Road
Raleigh, North Carolina 27604

Mitchell F. Brecher
Greenberg Traurig, LLP
800 Connecticut Avenue, NW
Washington, D.C. 20006

Laura K. Abel
Lynn Lu
Brennan Center for Justice, NYU School of Law
161 Avenue of the Americas, 12th Floor
New York, NY 10013

John D. Rees, Commissioner
Justice and Public Safety Cabinet
Department of Corrections
275 East Main Street
P.O. Box 2400
Frankfort, Kentucky 40602

Charles Sullivan, Executive Director
Kay Perry, Chairperson
Citizens United for Rehabilitation of Errants
Post Office Box 2310
Washington, D.C. 20013

Matthew A. Brill
Vineet R. Shahani
Latham & Watkins LLP
555 11th Street, N.W., Suite 1000
Washington, D.C. 20004-1304

Susan Galbraith
Executive Director
Our Place, DC
801 Pennsylvania Avenue, S.E.
Washington, D.C. 20003

Marc Mauer, Executive Director
The Sentencing Project
514 Tenth Street, N.W., Suite 1000
Washington, D.C. 20004

David Loftis
Barry Scheck
Peter Neufeld
The Innocence Project
100 Fifth Avenue, 3rd Floor
New York, N.Y. 10011

Elizabeth A. Noël
People's Counsel
Office of the People's Counsel
District of Columbia
1133 15th Street, N.W.
Suite 500
Washington, D.C. 20005-2710

Cassie M. Pierson, Staff Attorney
Legal Services for Prisoners with Children
1540 Market Street, Suite 490
San Francisco, CA 94102

Glenn B. Manishin
Stephanie A. Joyce
Kelley Drye & Warren LLP
3050 K Street, N.W., Suite 300
Washington, D.C. 20007

/s/ Theresa Rollins

Theresa Rollins